

FILED
for Roanoke
NOV 24 2009

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. GORDON, CLERK
BY: *[Signature]*
DEPUTY CLERK

ROBERT ETHAN MILLER,
Petitioner,

) Civil Action No. 7:09-cv-00239
)
)

v.

) ORDER
)
)

WARDEN, USP LEE,
Respondent.

) By: Hon. Jackson L. Kiser
) Senior United States District Judge
)

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the respondent's motion for summary judgment is **GRANTED**; petitioner's 28 U.S.C.

§ 2241 petition is **DISMISSED without prejudice**; and the case is **STRICKEN** from the active
docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum
opinion to the plaintiff.

ENTER: This 24th day of November, 2009.

[Signature]
Senior United States District Judge